IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 7TH DECEMBER 2007 / 16TH AGRAHAYANA 1929

Crl.Rev.Pet.No. 4395 of 2007()

CRA.920/2006 of ADDL.SESSIONS COURT, (ADHOC-I), ERNAKULAM
CC.404/2004 of ADDL.CHIEF JUDICIAL MAGISTRATE (E & O),ERNAKULAM

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REVN. PETITIONER: REVISION PETITIONER: APPELLANT/ACCUSED

P.GOVINDAN,
(UNSKILLED LABOURER B.V.YARD, NAVAL BASE,
WILLINGTON ISLAND, COCHIN.

BY ADV. SRI.K.K.VIJAYAKUMAR

RESPONDENTS: RESPONDENT/COMPLAINANT

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1. M/S.CONCORD CREDIT LTD.,
GOLDEN PLAZHA, CHITTOOR ROAD,
ERNAKULAM REPRESENTED BY
ACCOUNTS OFFICER, SAJU K.V.

2. STATE OF KERALA, REPRESENTED BY
GOVERNMENT PLEADER, ERNAKULAM.

BY ADV. SRI.S.R.DAYANANDA PRABHU
SRI.G.SIVAKUMAR
SRI. P. RAVEENDRA BABU, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 07/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No. 4395 of 2007

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Dated this the 7th day of December, 2007

ORDER

The accused in C.C. No. 404 of 2004 on the file of the Judicial First Class Magistrate, Additional Chief Judicial Magistrate (Economic Offences), Ernakulam for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No.13002 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,JUDGE.

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V. RAMKUMAR, J.

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Crl.R.P. No.

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Dated this the day of October, 2007

ORDER

The accused in C.C. / ST. No.....on th**e file** of the J.F.C.M, for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the

lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR, JUDGE

rv